

AO 245B (Rev. 9/00) Judgment in a Criminal Case
Sheet 1

FILED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

2011 MAY 19 AM 9:01

CLERK OF DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

THANH VIET CAO
aka Jeremy Cao

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: 10CR2217-LAB

Michelle Betancourt, Federal Defenders, Inc.

Defendant's Attorney

REGISTRATION NO. 48749112



THE DEFENDANT:



pleaded guilty to count(s) _____

was found guilty on count(s) 1-4 OF THE INDICTMENT

after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Count Number(s)</u>
18 USC 1341, 1343 and 1349	CONSPIRACY TO COMMIT MAIL AND WIRE FRAUD AND WIRE FRAUD	1
18 USC 1342 and 2	WIRE FRAUD AND AIDING AND ABETTING	2-4

The defendant is sentenced as provided in pages 2 through 15 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☒ The defendant has been found not guilty on count(s) 5-7

☐ Count(s) _____ is ☐ are ☐ dismissed on the motion of the United States.

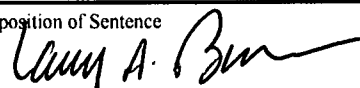
☒ Assessment: \$100.00 per count, total \$400.00

☒ No fine ☐ Forfeiture pursuant to order filed _____, included herein.

IT IS ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

MAY 16, 2011

Date of Imposition of Sentence



HON. LARRY ALAN BURNS
UNITED STATES DISTRICT JUDGE

10CR2217-LAB

DEFENDANT: THANH VIET CAO

CASE NUMBER: 10CR2217-LAB

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of Count 1 - 240 months; Count 2 - 120 months consecutive to count 1; Counts 3,4 - 120 months, concurrent to all other counts

- ☐ Sentence imposed pursuant to Title 8 USC Section 1326(b).
- ☐ The court makes the following recommendations to the Bureau of Prisons:

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____
as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

- ☐ _____
- ☐ as notified by the United States Marshal.
- ☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

10CR2217-LAB

DEFENDANT: THANH VIET CAO
CASE NUMBER: 10CR2217-LAB

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of :
3 years, each count concurrent

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

For offenses committed on or after September 13, 1994:

The defendant shall not illegally possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as determined by the court. Testing requirements will not exceed submission of more than ____ drug tests per month during the term of supervision, unless otherwise ordered by court.

☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)

☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.

☒ The defendant shall cooperate in the collection of a DNA sample from the defendant, pursuant to section 3 of the DNA Analysis Backing Elimination Act of 2000, pursuant to 18 USC sections 3563(a)(7) and 3583(d).

☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)

☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution obligation, it is a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in this judgment.

The defendant must comply with the standard conditions that have been adopted by this court. The defendant shall also comply with any special conditions imposed.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

10CR2217-LAB

DEFENDANT: THANH VIET CAO
CASE NUMBER: 10CR2217-LAB**SPECIAL CONDITIONS OF SUPERVISION**

- ☒ Submit person, residence, office or vehicle to a search, conducted by a United States Probation Officer at a reasonable time and in a reasonable manner; failure to submit to a search may be grounds for revocation; the defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
- ☐ If deported, excluded, or allowed to voluntarily return to country of origin, not reenter the United States illegally and report to the probation officer with 24 hours of any reentry to the United States; supervision waived upon deportation, exclusion or voluntary departure.
- ☐ Not transport, harbor, or assist undocumented aliens.
- ☐ Not associate with undocumented aliens or alien smugglers.
- ☐ Not reenter the United States illegally.
- ☐ Not enter the Republic of Mexico without written permission of the Court or probation officer.
- ☒ Report all vehicles owned or operated, or in which you have an interest, to the probation officer.
- ☐ Not possess any narcotic drug or controlled substance without a lawful medical prescription.
- ☐ Not associate with known users of, smugglers of, or dealers in narcotics, controlled substances, or dangerous drugs in any form.
- ☒ The defendant shall cooperate with any administrative findings of the Internal Revenue Service (IRS), shall file any delinquent income tax returns as requested, and shall file future income tax returns as required by law. The defendant shall pay any tax due and owing, including any penalties and interest, to the IRS as directed.
- ☒ Not engage in employment or any profession involving fiduciary responsibilities or the solicitation of funds from investors or financial
- ☒ Provide complete disclosure of personal and business financial records to the probation officer as requested.
- ☒ Be prohibited from opening checking accounts or incurring new credit charges or opening additional lines of credit without approval of the probation officer.
- ☐ Seek and maintain full time employment and/or schooling or a combination of both.
- ☐ Resolve all outstanding warrants within _____ days.
- ☐ Complete _____ hours of community service in a program approved by the probation officer within _____
- ☐ Reside in a Residential Reentry Center (RRC) as directed by the probation officer for a period of _____
- ☒ Notify the Collections Unit of the U.S. Attorney's Office, and the U.S. Probation Office before the defendant transfers any interest in property owned directly or indirectly by the defendant
- ☒ Notify the Collections Unit of the U.S. Attorney's Office, and the U.S. Probation Office, of any interest in property obtained, directly or indirectly, including any interest obtained under any other name, or entity, including a trust, partnership or corporation, until any fine or restitution ordered is paid in full.

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DEFENDANT: THANH VIET "JEREMY" CAO
 CASE NUMBER: 10CR2217-LAB
 SSN: [REDACTED]
 ADDRESS: 24072 Zancon
 Mission Viejo, California 92692

RESTITUTION

IT IS ORDERED that the defendant shall pay restitution in the amount of \$12,408,172.03, through the Clerk, U.S. District Court, Southern District of California, to the victims listed below, payable forthwith or through the Inmate Financial Responsibility Program at a rate of \$25.00 per quarter during the period of incarceration, with the payment of any remaining balance to be made following the defendant's release from prison at a rate of ~~\$250.00~~ \$250.00 per month. Distribution of restitution to the victims is to be on a pro rata basis.

NAME:	ADDRESS:	AMOUNT:
Abello, Lucero & Patricia Mae,	[REDACTED]	\$20,676.46
Abiog, Sarah,	[REDACTED]	\$8,200.54
Afable, Gloria & Eleno,	[REDACTED]	\$25,626.68
Aguado, Jose & Rowena,	[REDACTED]	\$111,164.51
Alfonso Amaya, Charles Nader,	[REDACTED]	\$6,367.37
Almonte, Cesar & Leilani,	[REDACTED]	\$1,708.45
Amante, Rogelio A,	[REDACTED]	\$12,813.34
Amaya, Agustina,	[REDACTED]	\$4,021.68
Amaya, Marina,	[REDACTED]	\$146,991.11
Andrada, Luis,	[REDACTED]	\$56,447.02

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NAME:	ADDRESS:	AMOUNT:
Angel, Christopher,	[REDACTED]	\$133,258.71
Angel, Raymond,	[REDACTED]	\$40,746.41
Angrand LLC - Thavuth Each,	[REDACTED]	\$178,831.47
Anilao, David,	[REDACTED]	\$33,260.01
Anloague, Irma,	[REDACTED]	\$29,353.22
Araullo, Erlinda,	[REDACTED]	\$42,711.13
Arias, Madeline,	[REDACTED]	\$28,124.42
Arucan, Nicasio R,	[REDACTED]	\$151,129.05
Avalos, Sebastian & Yesenia,	[REDACTED]	\$13,052.52
Averion, Edgardo & Leonisa,	[REDACTED]	\$260,575.52
Baladad, Amado & Virginia,	[REDACTED]	\$8,029.69
Bendigo, Gemma,	[REDACTED]	\$30,585.10
Benites, Maria,	[REDACTED]	\$12,340.10
Benson, Kay G	[REDACTED]	\$56,837.83
Big 5 Money Maker LLC - Godofredo Matulac	[REDACTED]	\$18,792.90
Biggs, Cynthia	[REDACTED]	\$114,632.39

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NAME:	ADDRESS:	AMOUNT:
Bote, Adelina & Romeo Manabat	[REDACTED]	\$28,527.62
Boun, Judi Ly & Sambun	[REDACTED]	\$162,032.38
Boun, Sam Bo	[REDACTED]	\$12,727.92
Brazilnut LLC, Blas Siguenza	[REDACTED]	\$9,057.75
Brown, Nenita	[REDACTED]	\$36,340.95
Brunner, Pennae Lynn	[REDACTED]	\$189,677.98
Bucco LLC - Emilio Ames	[REDACTED]	\$15,511.31
Bungay, Brussell C	[REDACTED]	\$16,223.82
Bungay, Edgardo	[REDACTED]	\$177,836.32
Callo, Ryan & Anthonette	[REDACTED]	\$109,378.15
Callo, Rodrigo	[REDACTED]	\$230,447.03
Carlos, John J	[REDACTED]	\$8,029.69
Caro, Maria Clarissa	[REDACTED]	\$100,291.37
Chao, Fam	[REDACTED]	\$35,527.11
Chao, Lynda	[REDACTED]	\$28,185.07
Chhun, Lina	[REDACTED]	\$273,880.82

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NAME:	ADDRESS:	AMOUNT:
Chiquis LLS, Javier Benites	[REDACTED]	\$24,605.88
Cho, Yong & Clara	[REDACTED]	\$219,962.30
Comia, Alberto Jose & Gladys	[REDACTED]	\$145,075.40
Crespo, Jose Luis & Teresita	[REDACTED]	\$7,688.00
Cruz, Emmanuel	[REDACTED]	\$17,084.45
Davis, Gregory & Carol	[REDACTED]	\$138,455.80
DC Asset Mgmt LLC - Mark Potter	[REDACTED]	\$56,207.84
Delino, Edgardo & Edna	[REDACTED]	\$30,752.01
DeVera, Judith & Serafin	[REDACTED]	\$281,571.92
Dimalanta, Violeta S	[REDACTED]	\$8,200.54
Donayre, Victor	[REDACTED]	\$18,510.15
Droll, Raymond	[REDACTED]	\$188,612.33
Duarosan, Jedidah	[REDACTED]	\$56,805.80
Ellis Finan Services LLC - Patricia Ellis	[REDACTED]	\$23,691.86
Enzen, LLC - Douglass Lorenzen	[REDACTED]	\$7,377.13
Espero, Leticia & Marylet	[REDACTED]	\$55,738.54

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NAME:	ADDRESS:	AMOUNT:
Espiritu, Ricardo & Zenaida	[REDACTED]	\$51,253.35
Evangelista, Kim	[REDACTED]	\$56,775.90
Felix, Minda M.	[REDACTED]	\$8,200.54
Garcia, Rebecca	[REDACTED]	\$17,678.14
Go, Henry & Nancy	[REDACTED]	\$3,416.89
Gochuico, Rowena	[REDACTED]	\$12,813.34
Gorman, Elizabeth,	[REDACTED]	\$13,065.33
Ham, Ira	[REDACTED]	\$6,711.88
Hills Mgmt LLC - Cristina Romanovich	[REDACTED]	\$12,384.52
Hinojosa, Hamid	[REDACTED]	\$7,826.39
Ho, Taiming	[REDACTED]	\$327,743.83
Hurrancayo LLC - Zoraya Thomas		\$33,919.47
Indiongco, Noel D.	[REDACTED]	\$12,813.34
Javier, Ariel & Epifania	[REDACTED]	\$23,918.23
Jnjin Ent LLC, Nelly Almoina	[REDACTED]	\$19,185.10
Jumangit, Marcelino A.	[REDACTED]	\$12,813.34
Kagaoan, Purita	[REDACTED]	\$25,626.68

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NAME:	ADDRESS:	AMOUNT:
Kalalo, Zunedale & Raisa (Sayson)	[REDACTED]	\$97,005.51
Kamimura, Kazuto & Norike	[REDACTED]	\$21,355.56
Kanthathin, Bounmee	[REDACTED]	\$40,148.46
Kanthathin, Lianne	[REDACTED]	\$325,864.54
Larson, Kay	[REDACTED]	\$10,962.16
Larson, Kay & Rolfes	[REDACTED]	\$61,504.02
Leo Property Mgmt, Frank Leo	[REDACTED]	\$1,098,202.99
Lock, Phoeung	[REDACTED]	\$80,296.92
Lorenzen III, Lee	[REDACTED]	\$61,281.92
Lorenzen Jr, Lee	[REDACTED]	\$219,941.60
Lov, Nick	[REDACTED]	\$151,144.00
Lozano, Ernesto	[REDACTED]	\$26,378.39
Ly, Judi	[REDACTED]	\$8,542.23
Lynch, Ben & Susan	[REDACTED]	\$30,850.25
Mackey, Carina B	[REDACTED]	\$10,650.45
Mahinan, Zenaida	[REDACTED]	\$16,200.33
Manabat, Adelina & Romeo	[REDACTED]	\$291,470.72

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NAME:	ADDRESS:	AMOUNT:
Manabat, Julia	[REDACTED]	\$128,475.49
Manabat, Romeo	[REDACTED]	\$54,758.18
Manongdo, Eduardo & Leah	[REDACTED]	\$42,779.46
Meanban LLC, Bo Ellon	[REDACTED]	\$488,909.99
Melatt, Marilou Diaz	[REDACTED]	\$17,084.45
Miguel, Dennis	[REDACTED]	\$12,939.76
Montoya, Maria & Jose	[REDACTED]	\$25,626.68
Morales, Olga	[REDACTED]	\$28,623.29
Morales, Rolando & Presentacion	[REDACTED]	\$6,919.20
Morelos, Susie	[REDACTED]	\$12,813.34
Nofuente, Romeo & Marilyn	[REDACTED]	\$107,341.60
Nuth, Paul	[REDACTED]	\$72,413.19
Ong, Monina	[REDACTED]	\$25,626.68
Ortega, Alfredo	[REDACTED]	\$8,542.23
Palomino, Francisco & Dena	[REDACTED]	\$6,919.20
Panaligan, Kathleen	[REDACTED]	\$8,200.54

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NAME:	ADDRESS:	AMOUNT:
Panaligan, Robert	[REDACTED]	\$50,569.97
Paris & Paris LLC, Michele Ota	[REDACTED]	\$430,625.50
Pavon, Edwin	[REDACTED]	\$6,919.20
Perreras, Estelita	[REDACTED]	\$6,919.20
Phon, Sylvia	[REDACTED]	\$40,148.46
Prado, Estrella	[REDACTED]	\$20,159.65
Quinn, James	[REDACTED]	\$73,420.43
Quizon, Amelia	[REDACTED]	\$41,002.68
Rasa Mktg Group LLC - Ron Asanas	[REDACTED]	\$144,807.80
Regalado, Beda & Corazon Benjamin & Olivia	[REDACTED]	\$17,084.45
Resurreccion, Mary Ann	[REDACTED]	\$136,944.68
Ringpis, Emilia P	[REDACTED]	\$64,066.69
Roh, Stella Haeng	[REDACTED]	\$17,084.45
Romero, Damaris	[REDACTED]	\$12,813.34
Sabile, Wilfredo	[REDACTED]	\$65,775.13
Sacayanan, Amelia & Warlito	[REDACTED]	\$67,796.82

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NAME:	ADDRESS:	AMOUNT:
Salazar, Ferdinand and Evangeline	[REDACTED]	\$11,431.63
Salcedo, Remigia	[REDACTED]	\$7,773.42
Salviejo, Camilo & Clarita	[REDACTED]	\$15,376.01
Sayson, Randy & Karen	[REDACTED]	\$41,762.94
Sayson, Ricardo M.	[REDACTED]	\$80,296.92
Scorpionfish LLC, Unicornfish LLC, Sokun Pheng, Steven Starke	[REDACTED]	\$260,674.54
Shadow Rebel LLC - Socorro Hernandez		\$2,960.31
Sieng, Justin V.	[REDACTED]	\$76,858.67
Simbol, Elizabeth	[REDACTED]	\$12,813.34
Smith, Margaret	[REDACTED]	\$58,087.13
Soeung, Sidtikun	[REDACTED]	\$114,870.72
Summitt, Kimberly A.	[REDACTED]	\$25,114.14
Tamayo, Randolph	[REDACTED] 911	\$37,530.27
Tes, Jennie	[REDACTED]	\$16,059.38
Tes, Jonathan	[REDACTED]	\$33,724.71

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NAME:	ADDRESS:	AMOUNT:
Thong, Roeun	[REDACTED]	\$209,671.05
Thong, Saley	[REDACTED]	\$28,103.92
Timog, Jericho B.	[REDACTED]	\$68,337.80
Tin Shed LLC - David & Jane Hudson	[REDACTED]	\$42,782.88
Torres, Manuel & Marcelina	[REDACTED]	\$42,711.13
Totipotency LLC, Jose & Leonita Carungcong	[REDACTED]	\$45,769.24
Tran, Richard	[REDACTED]	\$84,115.29
Tran, Tina	[REDACTED]	\$8,807.03
Tuminting, Ricardo	[REDACTED]	\$155,533.33
Tuminting, Robert	[REDACTED]	\$20,501.34
Valdez, Hector & Gabriela	[REDACTED]	\$14,863.47
Vanderlaan, Cristina	[REDACTED]	\$15,376.01
Verastegui, Magna V.	[REDACTED]	\$30,559.81
Villalobos, Glecý	[REDACTED]	\$92,238.13
Virrey, Elaine	[REDACTED]	\$171,937.91
Vitug, Benedict & Nora	[REDACTED]	\$12,300.80

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NAME:	ADDRESS:	AMOUNT:
VSBL LLC, Bo Ellon	[REDACTED]	\$28,103.92
Wenceslao, Florina	[REDACTED]	\$279,739.10
Whang, Seong Gi	[REDACTED]	\$12,300.80
Yellow Diamond LLC - Bora Each	[REDACTED]	\$448,524.06
ZTD Holdings Ltd - Zoe Decolongon,	[REDACTED]	\$98,209.96
TOTAL RESTITUTION		\$12,408,172.01